

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building, and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number
P.C. 8/28/02 Item #: 3.e.

File Number
PDC02-01-003

Application Type
Planned Development Rezoning

Council District
9

Planning Area
Willow Glen

Assessor's Parcel Number(s)
414-06-014

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Teresa Estrada

Location: West side of South Bascom Avenue approximately 690 feet southerly of Curtner Avenue

Gross Acreage: 0.63

Net Acreage: 0.63

Net Density: 15.7 DU/AC

Existing Zoning: A(PD) Planned Development

Existing Use: Single family residential

Proposed Zoning: A(PD) Planned Development

Proposed Use: Up to 9 single-family attached residential and 1 single-family detached residential units

GENERAL PLAN

Completed by: TE

Land Use/Transportation Diagram Designation
High Density Residential (25-40 DU/AC)

Project Conformance:
☒ Yes ☐ No
☐ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: TE

North: Single-family attached residential

A(PD) Planned Development

East: Commercial

CP - Commercial Pedestrian

South: Single-family attached residential

A(PD) Planned Development

West: Multi-family attached residential

RM - Residential

ENVIRONMENTAL STATUS

Completed by: TE

☐ Environmental Impact Report found complete
☐ Negative Declaration circulated on _____
☒ Negative Declaration adopted

☐ Exempt
☐ Environmental Review Incomplete

FILE HISTORY

Completed by: TE

Annexation Title: Cambrian No. 12-A

Date: December 4, 1969

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval
☐ Approval with Conditions
☐ Denial
☐ Uphold Director's Decision

Date: _____

Approved by: _____
☐ Action
☒ Recommendation

APPLICANT/DEVELOPER/OWNER

James A. Cusato
2799 South Bascom Avenue
Campbell, CA 95008

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: TE

Department of Public Works

See attached memorandum.

Other Departments and Agencies

None.

GENERAL CORRESPONDENCE

None.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant, James A. Cusato, is proposing to rezone a 0.63-gross-acre site from A(PD) Planned Development to A(PD) Planned Development to allow up to nine (9) single-family attached residential units and one (1) single family detached residence.

The subject site is a very narrow, rectangular lot with approximately 64 feet of frontage on Bascom Avenue and a depth of approximately 538 feet. The lot is currently occupied by one single family detached residence proposed to be demolished as part of the project. The site was the subject of a previous Planned Development Rezoning (File No. PDC89-152) approved in 1989. This previous project allowed up to seven (7) single-family detached residences on a private driveway, but was not economically viable to build.

The surrounding land uses consist of multi-family attached residences located to the west and commercial uses are located to the east across South Bascom Avenue. Three-story single-family attached residences are located to the north and south of the site.

Project Description

The proposed project contains one single family detached unit, proposed to be occupied by the applicant, located to the rear of the project site. The attached residential portion of the project consists of two buildings, one with four units and the other with five units, that are similar to rowhouses in terms of their appearance and site layout. The units front onto a private driveway which takes access from South Bascom Avenue.

The attached homes are two-bedroom units with approximately 1,252 square feet of living space in three stories over a two-car garage on lots of approximately 1,063 square feet. The detached residence is approximately 1,548 square feet on a 2,117 square foot lot. Guest parking is provided on the new private driveway and on-street in front of the project. Private open space is provided at the rear of each of the units as well as in balconies.

GENERAL PLAN CONFORMANCE

The proposed rezoning would allow development of the project site at a net density of 15.7 DU/AC, consistent with the General Plan under the use of the Discretionary Alternate Use Policy (Two Acre Rule). Under this General Plan Policy to further the General Plan goal of encouraging in-fill development, residentially-designated parcels of two acres or less may be developed at either the next higher or lower density range if a project exceeds the minimum standards of the Residential Design Guidelines (RDGs) and is compatible with the surrounding neighborhood. The Two Acre Rule is more commonly used to allow projects to develop at the next higher General Plan density range, but this policy also allows development of the site to occur at the next lower density range from High Density Residential (25-40 DU/AC) to Medium High Density Residential (12-25 DU/AC) pursuant to appropriate findings. In this case, the lower density is appropriate in order to comply with the basic elements of the Residential Design Guidelines such as parking, open space and setbacks (See analysis for additional discussion).

ENVIRONMENTAL REVIEW

An Initial Study was prepared for this project and the Director of Planning issued an Addendum to a Negative Declaration issued for the previously-approved project. The key issues addressed included air quality, historic resources, and road noise. The proposed project does not raise important new issues about the effects on the environment, therefore this project is adequately covered by this Addendum to the Negative Declaration from the previous project. The project includes standard and special mitigation measures that reduce any potentially significant impacts to less than significant levels.

Air Quality

The proposed project will have temporary short-term air quality impacts during construction. The Bay Area Air Quality Management District (BAAQMD) has prepared a list of feasible construction dust control measures that can reduce construction impacts to a level that is less than significant. These measures have been included on the land use plan to ensure that the short-term air quality impacts associate with construction will be reduced to less-than-significant levels.

Historic

The site contains an existing house, built circa 1935, which is proposed for demolition. A preliminary historic evaluation was performed by the City's historic preservation staff on the structure and it was determined not to be a significant resource due to the fact that a number of architectural modifications had been made over the years. These include miscellaneous additions to the exterior of the structure, complete exterior material surface replacement, and re-roofing with low-quality shingles. Additionally, the previously-approved rezoning for the project site found the existing structure was not historically significant. Although the existing structure is determined to be historically insignificant, historic preservation staff recommend that the salvage of any usable materials, such as windows, from the structure be performed prior to demolition of the structure.

Noise

Noise intrusion over the project site originates primarily from vehicular traffic sources on South Bascom Avenue. A sound wall along a portion of the project frontage as well as along the south side of the project site

will be required to reduce noise impacts to private open space areas to less than significant levels. The installation of windows rated minimum STC 28 will also be installed in the units that will have the most potential to be impacted by road noise. The noise report prepared for the project indicated that this mitigation will be sufficient to bring the interior noise levels into conformance with the General Plan's noise standards.

ANALYSIS

The key issues analyzed as part of this project include: 1) Conformance with the Residential Design Guidelines (RDGs), and 2) Use of the General Plan's Discretionary Alternate Land Use Policy (Two-Acre Rule).

Conformance with the Residential Design Guidelines(RDGs)

The proposed project substantially conforms to the key elements of the City's RDGs for rowhouses with regard to architecture, setbacks, parking, and open space. The site has significant development constraints due to the extremely narrow proportions of the site. For this reason, strict adherence to all of the prescribed design policies is less practicable than important as it might be for other less constrained sites.

Site Plan. The current site plan has been substantially revised and improved from the original design submittal. The units have been broken up into two buildings in order to eliminate a long linear driveway and to minimize the visual intrusion on adjacent existing development, with the 5-unit building situated to the south and the 4-unit building to the north. The units have adequate setbacks from the adjacent development with second and third-story setbacks of seven feet. Although, rowhouses should typically front on a public street, the creation of such a street would not be practical given the narrow site configuration. The City has been flexible in this regard, especially for very small infill projects with a limited number of units such as this one

Proportion of Garage Width to Living Area. The design guidelines recommend that the garage façade not exceed 50 percent of the width of the overall unit. Exceptions can be granted, pursuant to the Guidelines, if a combination of compensating design features is included. As indicated previously, the site design constraints warrant relaxation from strict adherence to complete conformance to the Guidelines. Although this project falls short of achieving this goal, but it does provide a cantilevered element over the garage that does help de-emphasize the garage façade.

Architecture. The structures will include two and three-story building elements. The rooflines are varied to help reduce massing and are compatible with the height of those for existing developments to the north and south. The proposed buildings are well-articulated with pitched roof design. Architectural detailing is attractive and appropriate with the neighborhood character, with finish materials including stucco, wood trim and balcony rails, board and battens, river stone veneer, and composition shingle tile roofs. The proposed structures on-site are compatible in terms of materials and colors and are compatible in terms of proportion and scale with adjacent structures. The final design of the units will undergo additional review and modification at the Planned Development Permit stage to ensure that the project will be an attractive asset to the streetscape along this major public thoroughfare. Particular attention will be paid to the articulation and detailing to enhance the front elevations for Units 1 and 6 which are visible from South Bascom Avenue.

Parking. Two covered parking spaces and one uncovered guest-parking space are provided for the single family house. Parking for the attached units is provided at a ratio of 2.5 spaces per 2-bedroom unit, in conformance with the RDGs, for a total of 23 spaces. All guest parking is provided within the project and on the street in front of the project site.

Private Open Space. The RDGs recommend a minimum of 400 square feet of private open space with a minimum depth of 15 feet for rowhouses. Approximately 295 square feet of private open space within balconies and private first floor patio areas is provided per unit. Although the proposed private patios are somewhat less than the standards required for rowhouses, the project, is compatible with or exceeds the open space requirements for cluster and podium cluster developments, which requires a minimum of 60 to 120 square feet of private outdoor space. Additionally, the applicant has provided an approximately 200 square foot common open space area consisting of barbeque area, picnic table and spa area, to supplement private open space.

Use of the Two Acre Rule

The Two-Acre Rule Policy in the General Plan allows residentially-designated parcels of two acres in size or less to be developed at the next higher or lower density range. The General Plan Land Use/Transportation Diagram designation for the project site is High Density Residential (25-40DU/AC). The proposed rezoning would allow development of the project site at a net density of 15.7 DU/AC, consistent with the next lower density range of Medium High Density Residential (12-25 DU/AC). The proposed type of development provides a consistent transition between the existing podium cluster developments to the north and south as well as the multi-family residential to the north and west of the site.

The narrow site configuration makes it extremely difficult to develop in conformance with City standards. Staff had strongly encouraged the developers of the two adjacent projects to the north and south to include the subject property in their developments back in the early 1980's. Unfortunately, the property owner at that time was not interested in developing the subject lot as part of either of the two projects, therefore resulting in a narrow parcel with significant development constraints. Given the site constraints, development at a higher density would have made conformance to the more important design standards of the RDGs more difficult or perhaps impossible to achieve.

PUBLIC OUTREACH

Notices for the public hearing were distributed to the owners and tenants of all properties located within 500 feet of the project site and published in the San Jose Post record in conformance with the City's Public Outreach Policy. One community meeting was held on the project on April 4, 2002 and six (6) members of the public attended. Concerns expressed by area residents included architecture, height of the proposed residences, street improvements, fire access, project density, and timelines for construction.

RECOMMENDATION

Planning staff recommends the Planning Commission forward a recommendation of approval and the City Council adopt an ordinance rezoning the subject site for the following reasons:

1. The proposed rezoning conforms to the General Plan through the use of the Discretionary Alternate Use Policy (Two Acre Rule) to allow development at the density range of Medium High Density Residential (12-25 DU/AC) rather than the subject site's General Plan Land Use/Transportation Diagram designation of High Density Residential (25-40 DU/AC).
2. The project conforms to the applicable development standards prescribed by the Zoning Ordinance.
3. The proposed project substantially conforms to the *Residential Design Guidelines*.
4. The project furthers the goals and objectives of the City's in-fill housing strategies.
5. The proposed rezoning is compatible with existing uses on the adjacent and neighboring properties.